



Tennessee Department of Environment and Conservation  
Division of Water Resources  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue, 11th Floor, Nashville, Tennessee 37243

RECEIVED

FEB 01 2017

**Phase II Stormwater Permit Notice of Intent (NOI)**  
**Phase II Municipal Separate Storm Sewer Systems (MS4)**

ENVIRONMENT & CONSERVATION  
COOKEVILLE FIELD OFFICE

**PURPOSE**

The purpose of this Notice of Intent (NOI) is for a Tennessee city, county, utility district, university or military base to submit the information necessary to obtain coverage under an NPDES permit to discharge stormwater runoff from a Phase II municipal separate storm sewer system.

**INSTRUCTIONS**

You must provide the following information to the Division of Water Resources as application material. You may either submit a hard copy of the signed NOI as described in sub-part 2.2.1 of the MS4 Permit, signed in accordance with the signatory requirements of sub-part 6.7 of the permit, and a copy of the NOI, to the address shown in sub-part 1.2 of the permit for the EFO responsible for the county where the facility is located; or you may submit by e-mail, the completed NOI and attachments (such as map and city ordinances) to [water.permits@tn.gov](mailto:water.permits@tn.gov).

After completing the questions in each section, list the Best Management Practices (BMPs) that you will implement in each program. Attached at the end of this NOI is an addendum to list BMP Measurable Goals and Implementation Milestones. You must complete the addendum, providing more details on the goals and milestones for each BMP outlined in this NOI.

After completing the BMP's in each section provide the administrative information to complete those BMP's as explained here:

Primary Contact and Position/Title	The person in your organization serving as the primary contact.
Other Department and Roles	Other departments within your organization involved in the project and how their role is identified.
Other Government Entity and Roles	Identification of other government entities responsible for implementing one or more of the BMP's. Include a copy of the contract or proposed agreement with execution schedule.
Other Institutions and Roles	Identification of partnerships with another MS4 operator or institution (e.g., Chamber of Commerce, environmental interest organizations, civic groups) to achieve the BMP's.
Target Groups (if applicable)	Specific kinds of groups that will be targeted, such as service industries (i.e., carpet cleaning), civic groups, schools, and church groups, etc.

**PART I - ADMINISTRATIVE INFORMATION**

Name of Phase II MS4 city, county, stormwater utility district or public institution: City of Crossville

Include a latitude and longitude of a representative location within your boundaries for mapping purposes.

Latitude (dd.dddd): 35.95341 Longitude (dd.dddd): -85.028923

James Mayberry City of Crossville Mayor  
Responsible Elected Official or Officer Title

392 N. Main St. Crossville TN 38555  
Street Address City State Zip Code

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**PROGRAM CONTACT**

Heath Blaylock

Name

heath.blaylock@crossvilletn.gov

Email Address

931-456-6947

Phone Number

**TECHNICAL CONTACT**

Heath Blaylock

Name

heath.blaylock@crossvilletn.gov

Email Address

931-456-6947

Phone Number

☒ Attach an organizational chart that shows the different departments involved in stormwater management.

**PART II - DESCRIPTION OF STORM SEWER SYSTEM**

**ITEM A - AREA SERVED (IN SQUARE MILES)**

For a city, town, university, or utility district university or military base:

Provide jurisdiction area within current boundaries

22

Provide additional area of urban growth boundary

67

For a county:

Provide total area:

N/A

Provide area that is unincorporated

N/A

Provide unincorporated, urbanized area (UA)

N/A

Indicate by checking the appropriate box if the permit will be used to regulate non-UA portions of the county:

☒ No

☐ Yes, the entire county (unincorporated)

☐ Yes, the non-UA portions, as follows: \_\_\_\_\_

**ITEM B - STORM DRAINAGE INFRASTRUCTURE**

Give figures for the following features of stormwater drainage infrastructure owned or operated by the local government. For a county government, indicate whether the figures represent the entire county or only the urbanized area. Figures for length and number of culverts and catch basins may be rough estimates.

For counties: Entire county

☐

Urbanized area only

☒

Storm Sewers 20 (miles or feet)

Open Ditches

261 (miles or feet)

Culverts 4000

Catch Basins

170

Water Quality Treatment Ponds 0

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**ITEM C - MAPS**

Include a map or maps depicting the following information. A single map may be submitted, as long as the information is legible. If you are not able to provide all the information mark the applicable check box and attach an explanation as to why the information has not been submitted:

Areas zoned for commercial or industrial activity	<input checked="" type="checkbox"/>	Military Installations	<input type="checkbox"/>
Municipally owned/operated industrial activities	<input type="checkbox"/>	State vocational, technical, college or universities	<input type="checkbox"/>
Municipal or County Wastewater Treatment Plants	<input type="checkbox"/>	Federal vocational, technical, college or universities	<input checked="" type="checkbox"/>
Municipal Vehicle Fleet Maintenance Centers	<input type="checkbox"/>	City Roads	<input type="checkbox"/>
Municipal Power Plants	<input checked="" type="checkbox"/>	County Roads	<input type="checkbox"/>
Municipal Airports	<input type="checkbox"/>	Streams	<input type="checkbox"/>
Municipal Landfills	<input checked="" type="checkbox"/>	Topography or General Drainage Patterns	<input type="checkbox"/>

**ITEM D - IDENTIFYING STREAMS WITH UNAVAILABLE PARAMETERS or EXCEPTIONAL TENNESSEE WATERS**

Using the GIS mapping tool (<http://www.tn.gov/environment/article/wr-water-resources-data-viewer>) along with the most current 303(d) list (<http://www.tn.gov/environment/article/wr-wq-water-quality-reports-publications>) published on the division's web site, determine whether stormwater from any part of the MS4 discharges into streams with unavailable parameters (previously referred to as impaired streams) for nutrients, pathogens, siltation, or other parameters related to stormwater runoff from urbanized areas or to streams designated as Exceptional Tennessee Waters and list below. For any waterbody with unavailable parameters or Exceptional Tennessee Waters, indicate the waterbody ID#, name of the waterbody and nature of pollution (cause) or Exceptional status.

WATERBODY ID# AND NAME OF WATERBODY	NATURE OF POLLUTANT (CAUSE) OR EXCEPTIONAL
TN06010208007-2000 OBED RIVER	Total Phosphorus M, Nitrate+Nitrate M
TN06010208013-0200 LITTLE OBED RIVER	Total Phosphorus M, Nitrate+Nitrate M, Loss of biological integrity due to siltation NA, Escherichia coli M
TN06010208013-0400 DROWNING CREEK	Loss of biological integrity due to siltation NA
TN06010208013-1000 OBED RIVER	Nitrate+Nitrate M, Total Phosphorus M
TN06010208013-2000 OBED RIVER	Flow Alteration NA, Physical Substrate Habitat Alterations
TN06010208015-0900 BYRD CREEK	Low Dissolved Oxygen L
TN06010208015-0930 ONE MILE CREEK	Loss of biological integrity due to siltation NA, Escherichia coli M
TN06010208013-2000 LITTLE OBED RIVER	.3 Mile upstream Genesis Rd. Exceptional
TN06010208015-0920 THREE MILE CREEK	Cumberland Mtn State Park. Exceptional
TN06010208015-0900 BYRD CREEK	Cumberland Mtn State Park. Exceptional
TN06010208013-1000 OBED RIVER	From confluence with Emory River to I-40. Exceptional

If you have additional streams to list, include in a separate attachment.

## ITEM E - STATE OR EPA ISSUED TDMLs

Yes ☒ No ☐ If yes, list the waterbody ID#, name of unavailable waterbody and parameter(s) of concern:

If you have additional streams to list, include in a separate attachment.

You must review existing adopted and signed ordinances or regulations that are associated with stormwater discharges to your MS4. Attach a copy of ordinances and/or policies that give your MS4 the authority to control stormwater discharges into the MS4 storm sewer system. Ordinances and/or policies that deal with stormwater issues might be found, for example, in conjunction with litter control, prohibition of dumping, clean up of spills, grading/building permits, sewer connection ordinances, erosion prevention and sediment control practices, subdivision regulations or other land use/development ordinances.


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**PART IV - SIGNATURE OF RESPONSIBLE CORPORATE OFFICER**

This Notice of Intent (NOI) must be signed as follows: For a municipality, state, federal, other public agency, and/or co-permittees by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes one of the following:

- I. The chief executive officer of the agency.
- II. A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury."

 _____ Signature	_____ Title/Municipality	_____ Date
_____ Signature	_____ Title/Municipality	_____ Date
_____ Signature	_____ Title/Municipality	_____ Date
_____ Signature	_____ Title/Municipality	_____ Date
_____ Signature	_____ Title/Municipality	_____ Date
_____ Signature	_____ Title/Municipality	_____ Date
_____ Signature	_____ Title/Municipality	_____ Date

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**PART V - YOUR PROPOSED STORMWATER QUALITY MANAGEMENT PROGRAM**

This NOI requires you to provide a brief description of your current and proposed activities as well as your BMPs for a stormwater management program. The following sections correspond to the six minimum control measures for a Phase II stormwater management program. If another MS4 will be responsible for implementing any or all portions of any or all following six minimum measures, then attach either the interlocutory agreement or the proposed agreement and schedule for adoption. You must still complete this NOI by answering the relevant questions for the six following measures.

For purposes of this NOI, the Public Education and Outreach and Public Participation and Involvement minimum measures have been combined.

**SECTION 1 - PUBLIC EDUCATION AND OUTREACH AND PUBLIC INVOLVEMENT/PARTICIPATION**

**A. Current Activities:**

The following is a set of questions on your current Public Education and Outreach and Public Involvement/Participation. These questions are intended to highlight minimum program requirements under the MS4 permit. Each question with a "No" answer must be addressed with a solution in the MS4's proposed program.

1. Does the municipality currently distribute educational materials on the topics of stormwater quality, instream water quality, pollution impacts, pollution prevention, etc.? If yes, briefly describe the materials, including media used (e.g., written brochures, public service announcements, etc.); the topic(s) covered, intended target audience(s), and the distribution method: We distribute brochures to the public, contractors and elementary students on what stormwater is and on pollution prevention and seditment control.

Yes ☒ No ☐

2. Does the municipality currently conduct or participate in public outreach activities focusing on the topics of stormwater quality, stream water quality, pollution impacts, pollution prevention, etc.? If yes, briefly describe the outreach activities, topic(s) covered, intended target audience(s), and the frequency of activities: We do a yearly sustainability fair for the county which is open to the public and all schools send every 5<sup>th</sup> grade class to participate. We work with Schools to donate weather stations and "Only Rain Down the Drain" storm inlet stickers.

Yes ☒ No ☐

3. Does the current municipal stormwater management program comply with Local, State and Federal public notice requirements? If yes, describe how the public is notified: Website, Radio and in Local water bills.

Yes ☒ No ☐

**B. Proposed Activities:**

1. List the BMPs that you will implement in the areas of Public Education and Outreach and Public Participation and Involvement. These should be based on a set of priorities that you have identified in the areas of Public Education and Outreach and Public Participation and Involvement. Provide a short descriptive name to the BMP in the left column. In the right column, more fully describe the BMP.

For Public Participation and Involvement BMPs, you may not desire to dictate the ways in which the public participates or is involved in the stormwater quality management program; in this case, your proposed program should provide a forum and/or a structure which guides and encourages the public in participation. On the other hand, there may be specific ways you do want the public to be involved, based on your program needs. For instance, you may want stream watch groups to be organized. In both cases, your proposed program should describe how you will accomplish this, along with a time schedule.

PROPOSED BEST MANAGEMENT PRACTICES FOR PUBLIC EDUCATION AND PUBLIC PARTICIPATION		
BMP	Name	DESCRIPTION
1A.	Website	Keep the Stormwater website updated providing regulations and policies for the Public.

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1B.	Educational Brochures	Update Brochures and distribute them to contractors, schools and businesses.
1C.	Training	Provide training to employees and the general public to enhance knowledge on Stormwater
1D.	Media	Use media to inform the public about stormwater.

If you have additional BMPs to list, include in a separate attachment.

2. What specific groups will be targeted (e.g., service industries such as carpet cleaning, lawn care, civic groups, schools, church groups) if applicable: Schools and Contractors

**C. Measurable Goals and Implementation Milestones:**

Attached at the end of this NOI is an addendum to list BMP Measurable Goals and Implementation Milestones. You must complete the addendum, providing more details on the goals and milestones for each BMP outlined in this NOI.

**D. Administrative Information:**

ADMINISTRATIVE INFORMATION FOR PUBLIC EDUCATION AND PUBLIC PARTICIPATION	
PRIMARY CONTACT	POSITION OR TITLE
Heath Blaylock	Stormwater Coordinator

Identify other Department(s) that will be involved and their role.

OTHER DEPARTMENT(S)	ROLE
N/A	

Identify if you will partner with another MS4 Operator, or with another institution (e.g. Chamber of Commerce, Environmental interest organizations, civic groups) in order to carry out the chosen BMPs.

ENTITY	BMP
N/A	

Will another governmental entity be responsible for implementing one or more chosen BMPs? If so, identify the entity and which BMP(s) it will implement. Include a copy of the interlocutory agreement, or contract, or proposed agreement with execution schedule.

ENTITY	BMP
N/A	

**SECTION 2 - ILLICIT DISCHARGE DETECTION AND ELIMINATION**

**A. Current Activities**

The following is a set of questions on your current Illicit Discharge Detection and Elimination Program. These questions are intended to highlight minimum program requirements under the MS4 permit. For MS4s who have not been previously covered under an MS4 permit, each element not currently performed must be implemented by the dates identified in Sub-part 4.1.1 of the permit. Thus, each question with a "No" answer must be addressed with a solution in the MS4's proposed program.

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1. Does the municipality currently have a storm sewer system map that shows the location of system outfalls where the municipal storm sewer system discharges into receiving waters or conveyances owned or operated by another MS4? The map must also show: the names and location of waters that receive discharges from those outfalls; inputs into the storm sewer collection system, such as the inlets, catch basins, drop structures or other defined contributing points to the sewershed of that outfall; and general direction of stormwater flow.

Yes ☒ No ☐

2. Does the municipality currently have an ordinance or regulatory mechanism that prohibits unauthorized non-stormwater discharges into the storm sewer system? If yes, attach a copy and give page and section number(s). If No, proceed to the next section (inspections and enforcement).

Yes ☒ No ☐ Page Number 9 Paragraph Number 8

3. Does the ordinance or regulatory mechanism clearly define non-stormwater discharges, either through a written description of a non-stormwater discharge or through a listing of authorized or unauthorized non-stormwater discharges?

Yes ☒ No ☐

4. Does the ordinance or regulatory mechanism allow right-of-entry on private property for inspection of suspected discharges?

Yes ☒ No ☐

5. Does the ordinance or regulatory mechanism prohibit dumping?

Yes ☒ No ☐

6. Does the ordinance or regulatory mechanism give the MS4 owner/operator the authority to eliminate unauthorized non-stormwater discharges in the event of violations? If yes, note page number and paragraph number.

Yes ☒ No ☐ Page Number 14 Paragraph Number 3

7. Does the ordinance or regulatory mechanism define penalties for violations? If yes, note maximum penalty, page number and paragraph number.

Yes ☒ No ☐ Maximum Penalty \$5000 Page Number 14 Paragraph Number 3

8. Does the municipality presently have personnel and procedures in place to detect, identify and eliminate non-stormwater discharges? If yes, describe and indicate percentage of system inspected: The Stormwater department routinely spends the day traveling right-of-ways in search of illicit discharges while doing construction inspections. The Street Department personnel inspect culverts and catch basins weekly. They report any questionable findings.

Yes ☒ No ☐

9. Does the municipality presently have procedures and personnel in place for enforcement of violations of the illicit discharge ordinance? If yes, describe: The City of Crossville has twelve level 1 Erosion and Sediment Control certified employees. Those employees are well aware on what to look for concerning illicit discharges. Our ordinance has different enforcement options from a written letter to a fine up to \$5000 per day.

Yes ☒ No ☐

10. Describe how enforcement actions are documented: All enforcement action is kept in a folder on the city server. It starts with a site visit to visually access the situation and take photos. A written certified NOV is sent out and once received we keep a corrective action plan and all documents in the NOV folder.

11. Has the municipality defined "hot spots" for non-stormwater discharge screening and inspection purposes? If yes, describe and provide a map of illicit discharge screening hot spots: We have not determined any "hot spot" areas at the time, but will continue to work on searching for those areas if they arise.



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Yes ☐ No ☒

12. Does the municipality presently have procedures in place to receive and consider information and complaints about non-stormwater discharges that are submitted by the public? If yes, provide brief description: responsible departments, personnel, steps followed: The City of Crossville has a stormwater hotline phone number and email for complaints.

Yes ☒ No ☐

**B. Proposed Activities:**

1. List the BMPs that you will implement in the area of Illicit Discharge Detection and Elimination. These should be based on a set of priorities that you have identified in the area of Illicit Discharge Detection and Elimination. Provide a short descriptive name to the BMP in the left column and more description in the right column.

PROPOSED BEST MANAGEMENT PRACTICES FOR ILLICIT DISCHARGE DETECTION AND ELIMINATION		
BMP	Name	DESCRIPTION
2A.	Outfall Mapping	Update outfall Maps with more detail using GIS
2B.	Dry Weather Screening	Do visual assessments to help prevent future illicit discharges during rain events.
2C.	Training	Keep employees trained on what to look for and do when an illicit discharge is present.
2D.	Inventory of Storm Sewer System	GPS and update storm sewer map.

If you have additional BMPs to list, include in a separate attachment.

2. What specific groups will be targeted, if applicable? Businesses and Industries

**C. Measurable Goals and Implementation Milestones**

Attached at the end of this NOI is an addendum to list BMP Measurable Goals and Implementation Milestones. You must complete the addendum, providing more details on the goals and milestones for each BMP outlined in this NOI.

**D. Administrative Information**

ADMINISTRATIVE INFORMATION FOR ILLICIT DISCHARGE DETECTION AND ELIMINATION	
PRIMARY CONTACT	POSITION OR TITLE
Heath Blaylock	Stormwater Coordinator

Identify other Department(s) that will be involved and their role.

OTHER DEPARTMENT(S)	ROLE
Street Department	Storm drains and roadway maintenance and inspections for illicit discharges
Veolia Water	Wastewater Treatment Plant Operators. They respond to sanitary sewer looks and notify us.

Identify if you will partner with another MS4 Operator, or with another institution (e.g. Chamber of Commerce, Environmental interest organizations, civic groups) in order to carry out the chosen BMPs.

ENTITY	BMP
N/A	

Will another governmental entity be responsible for implementing one or more chosen BMPs? If so, identify the entity and which BMP(s) it will implement. Include a copy of the interlocutory agreement, or contract, or proposed agreement with execution schedule.

ENTITY	BMP
N/A	

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**SECTION 3 - CONSTRUCTION SITE STORMWATER RUNOFF PROGRAM**

A. Current Activities

The following is a set of questions on your current Construction Site Stormwater Runoff Program. These questions are intended to highlight minimum program requirements under the MS4 permit. For MS4s who have not been previously covered under an MS4 permit, each element not currently performed must be implemented by the dates identified in Sub-part 4.1.1 of the permit. Thus, each question with a "No" answer must be addressed with a solution in the MS4's proposed program.

1. Do the current ordinances/regulations for the municipal stormwater management program comply with Local, State and Federal public notice requirements? If yes, describe how the public is notified: Flyers in water bills, Radio, and the City of Crossville Stormwater website.

Yes ☒ No ☐

2. Do you currently have an erosion prevention and sediment control - or similar - ordinance or regulatory mechanism? If yes, include a copy and reference the paragraph number(s). If No, proceed to the next set of questions below about construction site plans review.

Yes ☒ No ☐ Page Number 6 Paragraph Number 1a

3. Does the ordinance or regulatory mechanism require that site operators implement erosion prevention, sediment control, and other construction waste controls for land disturbance activities?

Yes ☒ No ☐

4. Does the ordinance/regulatory mechanism require that controls be implemented for any land disturbances greater than or equal to one acre, or less than one acre if part of a large common plan of development or sale that would disturb one acre or more? If yes, note the page number and paragraph number where this is defined.

Yes ☒ No ☐ Page Number 5 Paragraph Number 1

5. Does the ordinance or regulatory mechanism contain or reference technical standards for erosion and sediment control? If yes, note the page number and paragraph number where this is defined.

Yes ☒ No ☐ Page Number 6 Paragraph Number 1a

6. Do those technical standards meet or exceed the current effective Tennessee Construction General Permit (TNR100000) requirements for design storm and special conditions for waterbodies with unavailable parameters or Exceptional Tennessee Waters?

Yes ☒ No ☐

7. Do those technical standards require that construction activities maintain temporary water quality riparian buffers during construction?

Yes ☒ No ☐

8. Does the municipality presently have in place a technical review process (i.e. engineering department, planning department, zoning board) that evaluates new development and redevelopment construction for construction site runoff?

Yes ☒ No ☐

9. Does the technical review process require an erosion prevention and sediment control plan with appropriate BMPs?

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Yes ☒ No ☐

10. Does the review process include a requirement for pre-construction meeting between the municipality and site developer, for priority construction sites?

Yes ☒ No ☐

11. If there is a review process, provide a brief narrative or a flow chart of the process, describing the process steps, responsible personnel, and criteria used for evaluation of information or plans that are submitted: Construction activities go through a multiple step approval process. Codes Enforcement inputs the construction activity into a computer program, BLUE PRINCE, for each department to sign approvals. The contractor will then bring a site plan to the Stormwater Coordinator who approves the erosion and sediment controls as well as the permanent stormwater structures. The Street Department will sign off on road way drainage. Stormwater personnel will inspect the site to ensure BMP's are properly installed.

12. Does the municipality presently have procedures in place for receipt and consideration of information and complaints submitted by the public?

Yes ☒ No ☐

If yes, provide a brief narrative of the receipt process and procedures, describing process steps, responsible departments, personnel (by title). Complaints are entered into a excel file describing the complaint with address and phone number. The stormwater department does a site visit to review the complaint and determines which actions needs to take place from there. Wether it be a NOV or a simple fix that doesn't require enforcement.

13. Does the municipality presently have personnel and procedures in place for construction site runoff inspection?

Yes ☒ No ☐

14. Does the program provide for pre-construction meeting and monthly inspection of priority construction activities?

Yes ☒ No ☐

15. Does the municipality presently have procedures and personnel in place for enforcement to the maximum extend for violations of construction site requirements?

Yes ☒ No ☐

16. Does the municipality use a Stop Work or similar order to enforce compliance with construction site policies and requirements?

Yes ☒ No ☐

17. How are enforcement actions documented? Enforcement actions are documented with a NOV letter sent to the contractor complete with the USPS tracking and required signature forms. The sites are inspected and photographs added to the file.

18. Have MS4 inspectors who conduct inspections of construction sites received certification under the Tennessee Fundamentals of Erosion Prevention and Sediment Control, Level 1, and construction site plan reviewers a certificate of completion from the Tennessee Erosion Prevention and Sediment Control Design Course, Level 2?

Yes ☒ No ☐

**B. Proposed Activities:**

1. List the BMPs that you will implement in the area of Construction Site Runoff Program. These should be based on a set of priorities that you have identified in the area of Construction Site Runoff Program. Provide a short descriptive name to the BMP in the left column and more description in the right column.

<b>PROPOSED BEST MANAGEMENT PRACTICES FOR CONSTRUCTION SITE RUNOFF PROGRAM</b>
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BMP	Name	DESCRIPTION
3A.	Ordinance Review	Update Ordinance to meet required criteria for new MS4 permit
3B.	Land Disturbance Reviews	Documentation and evaluation of procedures for reviewing Land Disturbance Permits
3C.	Erosion and Sediment Handbook	Provide TDEC Erosion Prevention and Sediment Control manuals for Public usage as standards for erosion prevention and sediment control
3D.	Inspections and Enforcement	Review effectiveness of inspection protocols and enforcement procedures

If you have additional BMPs to list, include in a separate attachment.

2. Describe specific groups that will be targeted, if applicable: Contractors

**C. Measurable Goals and Implementation Milestones**

Attached at the end of this NOI is an addendum to list BMP Measurable Goals and Implementation Milestones. You must complete the addendum, providing more details on the goals and milestones for each BMP outlined in this NOI.

**D. Administrative Information**

ADMINISTRATIVE INFORMATION FOR CONSTRUCTION SITE RUNOFF PROGRAM	
PRIMARY CONTACT	POSITION OR TITLE
Heath Blaylock	Stormwater Coordinator

Identify other Department(s) that will be involved and their role.

OTHER DEPARTMENT(S)	ROLE
N/A	

Identify if you will partner with another MS4 Operator, or with another institution (e.g. Chamber of Commerce, Environmental interest organizations, civic groups) in order to carry out the chosen BMPs.

ENTITY	BMP
N/A	

Will another governmental entity be responsible for implementing one or more chosen BMPs? If so, identify the entity and which BMP(s) it will implement. Include a copy of the interlocutory agreement, or contract, or proposed agreement with execution schedule.

ENTITY	BMP
N/A	

**SECTION 4 - PERMANENT STORMWATER MANAGEMENT AT NEW DEVELOPMENT AND REDEVELOPMENT**

**A. Current Activities:**

The following is a set of questions on your current Permanent Stormwater Management in New Development and Redevelopment Program. These questions are intended to highlight minimum program requirements under the MS4 permit. For MS4s who have not been previously covered under an MS4 permit, each element not currently performed

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must be implemented by the dates identified in Sub-part 4.1.1 of the permit. Thus, each question with a "No" answer must be addressed with a solution in the MS4's proposed program.

1. Does the municipality currently have in place mechanisms or strategies to address permanent stormwater runoff management from new development or redevelopment projects that result in land disturbance of one acre or more? For example, land use planning requirements, zoning directives, site-based pollutant removal controls; stormwater detention or storage; practices that infiltrate stormwater; vegetative practices.

Yes ☒ No ☐

If yes, provide a brief narrative of - and/or references to - the structural and non-structural strategies, describing strategies implemented, Best Management Practices allowed, technical guidance, responsible departments, and personnel (by title): There is no zoning in the City of Crossville, but the Planning Coordinator Kevin Dean reviews subdivision plats to ensure minimum buffer requirements are met. The Stormwater Coordinator will review BMP's for effectiveness on the site. Detention calculations are required for submittal on property of 1 acre or more or part of a larger plan of development and commercial and industrial properties.

2. Do you currently have an ordinance or regulatory mechanism that addresses permanent stormwater runoff management from new development and redevelopment projects? If yes, reference the page number and paragraph number. If no, proceed to the next section on permanent stormwater management plans review.

Yes ☒ No ☐ Page Number 3 Paragraph Number Chart  
Detention Policy

3. Does the ordinance or regulatory mechanism require controls to treat pollutants in stormwater runoff? If yes, note page number and paragraph number.

Yes ☒ No ☐ Page Number 3 Paragraph Number 6  
Detention Policy

4. Does the ordinance or regulatory mechanism require (explicitly or implicitly) that controls be implemented for any new development or redevelopment projects greater than or equal to one acre, including projects less than one acre that are part of a large common plan of development or sale, that discharge into your small MS4? If yes, note page number and paragraph number.

Yes ☒ No ☐ Page Number 6 Paragraph Number 1

5. Does the ordinance or regulatory mechanism contain or reference technical standards for water quality controls? If yes, note page number and paragraph number.

Yes ☒ No ☐ Page Number 7 Paragraph Number 1,2,4

6. Does the ordinance or regulatory mechanism clearly define the criteria for submittal -who must submit - of permanent stormwater management design information or plans? If yes, note page number and paragraph number.

Yes ☒ No ☐ Page Number 5 Paragraph Number 1

7. Does the ordinance or regulatory mechanism require approval prior to construction of permanent stormwater management controls? If yes, note page number and paragraph number.

Yes ☒ No ☐ Page Number 1 Paragraph Number 1 Detention  
Detention Policy Policy

8. Does the ordinance or regulatory mechanism require re-submittal of permanent stormwater management design information or plans if site plans change after the initial design has been approved? If yes, note page number and paragraph number.

Yes ☐ No ☒ Page Number \_\_\_\_\_ Paragraph Number \_\_\_\_\_

**Phase II Stormwater Permit Notice of Intent (NOI)**  
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9. Does the ordinance or regulatory mechanism give the MS4 owner/operator the authority to penalize the owner of permanent stormwater management controls for violations? If yes, note page number and paragraph number.

Yes ☒ No ☐ Page Number 7 and 14 Paragraph Number 4 and 11

10. Does the ordinance or regulatory mechanism require that permanent stormwater management controls have adequate and long-term operation and maintenance? If yes, note page number and paragraph number. If no, describe how the MS4 owner/operator maintains permanent stormwater management controls: \_\_\_\_\_

Yes ☒ No ☐ Page Number 7 Paragraph Number 4

11. Does the ordinance or regulatory mechanism require establishment and maintenance of water quality riparian buffers in areas of new development and redevelopment?

Yes ☒ No ☐

12. Does the municipality presently have in place a technical review process (i.e. engineering department, planning department, zoning board) that evaluates new development and redevelopment with regard to the impact that permanent stormwater runoff will have on receiving streams?

Yes ☒ No ☐

If Yes, provide a brief narrative or a flow chart of the review process, describing the process steps, responsible personnel (by department, title and contact person), and criteria used for evaluation of information or plans that are submitted: There is no zoning in the City of Crossville, but the Planning Coordinator Kevin Dean reviews subdivision plats to ensure minimum buffer requirements are met. The Stormwater Coordinator will review BMP's for effectiveness on the site and use TNRAT to view what calculations have been submitted.

**B. Proposed Activities:**

List the BMPs that you will implement in the area of the Permanent Stormwater Management Plans Review. These should be based on a set of priorities that you have identified in the area of the Permanent Stormwater Management Plans Review. Provide a short descriptive name to the BMP in the left column and more description in the right column.

PROPOSED BEST MANAGEMENT PRACTICES FOR PERMANENT STORMWATER PLANS REVIEW		
BMP	Name	DESCRIPTION
4A.	Ordinance	Update Ordinances and Policies
4B.	Checklist	Review Plans Checklist to ensure all specifications are met
4C.	Training	Keep updated on training such as Level 2 Erosion Prevention and Sediment Control
4D.	Review Runoff Calculations	Use TNRAT to review submitted calculations.

If you have additional BMPs to list, include in a separate attachment.

Describe the specific groups that will be targeted, if applicable? City of Crossville Employees

**C. Measurable Goals and Implementation Milestones:**

Attached at the end of this NOI is an addendum to list BMP Measurable Goals and Implementation Milestones. You must complete the addendum, providing more details on the goals and milestones for each BMP outlined in this NOI.

**D. Administrative Information:**

ADMINISTRATIVE INFORMATION FOR PERMANENT STORMWATER MANAGEMENT PLANS REVIEW	
PRIMARY CONTACT	POSITION OR TITLE
Heath Blaylock	Stormwater Coordinator

Identify other Department(s) that will be involved and their role.

OTHER	ROLE
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DEPARTMENT(S)	
Planning	Review of plans to insure buffers are being met.

Identify if you will partner with another MS4 Operator, or with another institution (e.g. Chamber of Commerce, Environmental interest organizations, civic groups) in order to carry out the chosen BMPs.

ENTITY	BMP
N/A	

Will another governmental entity be responsible for implementing one or more chosen BMPs? If so, identify the entity and which BMP(s) it will implement. Include a copy of the interlocutory agreement, or contract, or proposed agreement with execution schedule.

ENTITY	BMP
N/A	

**SECTION 5 - POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS**

**A. Current Activities:**

The following is a set of questions on your current Pollution Prevention/Good Housekeeping for Municipal Operations Program. These questions are intended to highlight minimum program requirements under the MS4 permit. Each question with a "No" answer must be addressed with a solution in the MS4's proposed program.

1. Does the municipality's current Pollution Prevention/Good Housekeeping program provide annual training for employees responsible for municipal operations at facilities within the jurisdiction of the permittee that handle, generate and/or store materials which constitute a potential pollutant of concern for MS4s? Examples of these materials may include, but are not limited to, lubricants, fuels, sand, gravel, soil, salt, pesticide, fertilizer, garbage, trash, clippings, vehicles, equipment, and other wastes.

Yes ☒ No ☐

2. Are training activities documented? If yes, describe training and method of record-keeping: Training Videos and Classes. Excel file is kept on what training employees have had.

Yes ☒ No ☐

3. Has the MS4 owner/operator obtained a Tennessee Multi-Sector General Permit or a no-exposure certification for all qualifying municipal industrial activities? If yes, give permit numbers or attach copies of the No-Exposure Certification form.

Yes ☐ No ☒ Permit Numbers(s) \_\_\_\_\_

4. List municipal operations or facilities that have a potential for contaminating stormwater runoff such as the following: streets, roads, highways, municipal parking lots, maintenance and storage yards, fleet or maintenance shops with outdoor storage areas, salt/sand storage locations, snow disposal areas operated by the MS4, and waste disposal, storage, and transfer stations. If there is more than one facility for a given type of operation; give the number of such facilities. Indicate if an operation and maintenance plan, which includes maintenance activities, schedules and the proper disposal of waste from related structural and non-structural stormwater controls, has been implemented for each facility or operation.

FACILITY OR TYPE OF OPERATION	NUMBER OF FACILITIES	OPERATION AND MAINTENANCE PLAN
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		IMPLEMENTED?
Veolia Wastewater Treatment Plant	1	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Wyatt Court Stock Pile	1	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Chestnut Hill Landfill	1	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>
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		Yes <input type="checkbox"/> No <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>

**B. Proposed Activities:**

List the BMPs that you will implement in the area of the Pollution Prevention and Good Housekeeping Program. These should be based on a set of priorities that you have identified in the area of the Pollution Prevention and Good Housekeeping Program. Provide a short descriptive name to the BMP in the left column and more description in the right column.

In addition to considering industrial-type operations, you must also consider municipal infrastructure, and related maintenance activities, maintenance schedules and long-term inspection procedures for structural controls and the proper disposal of waste from storm sewers/catch basins.

PROPOSED BEST MANAGEMENT PRACTICES FOR POLLUTION PREVENTION AND HOUSEKEEPING		
BMP	Name	DESCRIPTION
5A.	Revisit Municipal Sites	Look at Municipal owned sites and make sure all pollution prevention measures are being met.
5B.	Training	Train city employees through out different departments on pollution prevention and good housekeeping.
5C.	Roadway and Storm Drain Maintenance	Evaluation of roadway and storm drainage maintenance procedures in order to minimize discharges of pollutants during maintenance operations.
5D.	Review Ordinance	Review ordinances to stay in compliance with current permits

If you have additional BMPs to list, include in a separate attachment.

Provide specific groups that will be targeted, if applicable: N/A

**C. Measurable Goals and Implementation Milestones:**

Attached at the end of this NOI is an addendum to list BMP Measurable Goals and Implementation Milestones. You must complete the addendum, providing more details on the goals and milestones for each BMP outlined in this NOI.

**D. Administrative Information:**

ADMINISTRATIVE INFORMATION FOR POLLUTION PREVENTION AND HOUSEKEEPING	
PRIMARY CONTACT	POSITION OR TITLE
Heath Blaylock	Stormwater Coordinator

Identify other Department(s) that will be involved and their role.

OTHER DEPARTMENT(S)	ROLE
Street Department	Maintenance with salt storage and street sweeper debris



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Maintenance Department	Keeping all vehicle maintenance under roof and keeping up with pollution prevention at City owned gas and diesel pumps.

Identify if you will partner with another MS4 Operator, or with another institution (e.g. Chamber of Commerce, Environmental interest organizations, civic groups) in order to carry out the chosen BMPs.

ENTITY	BMP
N/A	

Will another governmental entity be responsible for implementing one or more chosen BMPs? If so, identify the entity and which BMP(s) it will implement. Include a copy of the interlocutory agreement, or contract, or proposed agreement with execution schedule.

ENTITY	BMP
N/A	

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**ADDENDUM TO SMALL MS4 NPDES PERMIT NOI - BMPs MEASURABLE GOALS AND MILESTONES**

The purpose of this addendum is to record the measurable goals for each BMP, and the dates (month and year) by which interim actions are to be accomplished. Space is given for four BMPs for each of the six minimum measures. If necessary, attach additional BMP MEASURABLE GOALS AND MILESTONES as a separate attachment.

Measurable goals are BMP design objectives, or goals that will quantify the progress of implementing the actions or performance of a BMP. They are ways to measure activities or effects of a BMP. For each of the six minimum measures and for each BMP, define the measurable goal you will use to monitor effectiveness of this BMP. The BMPs you list here should match exactly those given in Part V., 1-5 of this NOI. For purposes of this NOI, the Public Education and Outreach and Public Involvement/Participation minimum measures have been combined.

For each BMP, establish milestones for implementation. These tables are set up for once/year milestones. You may change the milestone dates to time frames less than one year.

BEST MANAGEMENT PRACTICES FOR PUBLIC EDUCATION AND PUBLIC PARTICIPATION	
<b>BMP 1A</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	Provide a functional and educational stormwater website
Milestone Year 1	Review website to see what new ideas we can add to help the public understand stormwater.
Milestone Year 2	Update website with new Ordinances and Policies
Milestone Year 3	Maintain Website
Milestone Year 4	Maintain Website
Milestone Year 5	Maintain and Review Website to monitor usage
<b>BMP 1B</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	Produce more Brochures for specific groups such as schools, businesses and contractors.
Milestone Year 1	Find brochures for target audiences
Milestone Year 2	Distribute Brochures
Milestone Year 3	Distribute Brochures
Milestone Year 4	Distribute Brochures
Milestone Year 5	Distribute Brochures
<b>BMP 1C</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	Provide training to employees and the general public to enhance knowledge on Stormwater
Milestone Year 1	Setup and Maintain an employee training schedule
Milestone Year 2	Start training sessions for new and existing employees and offer training opportunities to the public by website.
Milestone Year 3	Maintain training and Level 1 TNEPSC Certifications
Milestone Year 4	Maintain training
Milestone Year 5	Maintain training and review past training methods to see if anything needs updated
<b>BMP 1D</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	Use of Media for a broader audience
Milestone Year 1	Use Media such as broadcasting, publishing, and the Internet to inform the public
Milestone Year 2	Use Media such as broadcasting, publishing, and the Internet to inform the public
Milestone Year 3	Use Media such as broadcasting, publishing, and the Internet to inform the public
Milestone Year 4	Use Media such as broadcasting, publishing, and the Internet to inform the public
Milestone Year 5	Use Media such as broadcasting, publishing, and the Internet to inform the public

BEST MANAGEMENT PRACTICES FOR ILLICIT DISCHARGE DETECTION AND ELIMINATION	
<b>BMP 2A</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	Review and Update Outfall Map
Milestone Year 1	Look for hot spot areas to add to outfall map

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Milestone Year 2	Update outfall map using GIS
Milestone Year 3	Update Map to include annexed areas
Milestone Year 4	Update Map to include annexed areas
Milestone Year 5	Update Map to include annexed areas
<b>BMP 2B</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	Dry weather screening to prevent a discharge from spreading during a rain event.
Milestone Year 1	Dry weather Screening to prevent discharge before rain events.
Milestone Year 2	Dry weather Screening to prevent discharge before rain events.
Milestone Year 3	Dry weather Screening to prevent discharge before rain events.
Milestone Year 4	Dry weather Screening to prevent discharge before rain events.
Milestone Year 5	Dry weather Screening to prevent discharge before rain events.

<b>BMP 2C</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	Employee Illicit Discharge Training to produce a more knowledgeable staff.
Milestone Year 1	Train employees from different departments on what to look for and do, if an illicit discharge is present
Milestone Year 2	Train employees from different departments on what to look for and do, if an illicit discharge is present
Milestone Year 3	Train employees from different departments on what to look for and do, if an illicit discharge is present
Milestone Year 4	Train employees from different departments on what to look for and do, if an illicit discharge is present
Milestone Year 5	Train employees from different departments on what to look for and do, if an illicit discharge is present

<b>BMP 2D</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	Take detailed GPS points of our storm sewers to know flow routes.
Milestone Year 1	GPS and Update storm sewer map
Milestone Year 2	GPS and Update storm sewer map
Milestone Year 3	GPS and Update storm sewer map
Milestone Year 4	GPS and Update storm sewer map
Milestone Year 5	GPS and Update storm sewer map

<b>BEST MANAGEMENT PRACTICES FOR CONSTRUCTION SITE RUNOFF PROGRAM</b>	
<b>BMP 3A</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	Review Ordinance to update with current Permits
Milestone Year 1	Update Ordinance to meet required criteria for new MS4 permit
Milestone Year 2	Update Ordinance to meet required criteria for new MS4 permit
Milestone Year 3	Review Updated Ordinances to see if anything needs to be changed
Milestone Year 4	Review Updated Ordinances to see if anything needs to be changed
Milestone Year 5	Review Updated Ordinances to see if anything needs to be changed
<b>BMP 3B</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	Review Land Disturbance Application to provide a detailed and rapid review process
Milestone Year 1	Evaluate procedures for reviewing Land Disturbance Permits
Milestone Year 2	Evaluate procedures for reviewing Land Disturbance Permits
Milestone Year 3	Update land disturbance application to meet all required criteria
Milestone Year 4	Update land disturbance application to meet all required criteria
Milestone Year 5	Update land disturbance application to meet all required criteria

<b>BMP 3C</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	Provide the public with knowledgeable material to reduce to chances of stormwater runoff
Milestone Year 1	Provide TDEC Erosion Prevention and Sediment Control manuals for Public usage as

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	standards for erosion prevention and sediment control
Milestone Year 2	Provide TDEC Erosion Prevention and Sediment Control manuals for Public usage as standards for erosion prevention and sediment control
Milestone Year 3	Provide TDEC Erosion Prevention and Sediment Control manuals for Public usage as standards for erosion prevention and sediment control
Milestone Year 4	Provide TDEC Erosion Prevention and Sediment Control manuals for Public usage as standards for erosion prevention and sediment control
Milestone Year 5	Provide TDEC Erosion Prevention and Sediment Control manuals for Public usage as standards for erosion prevention and sediment control
BMP 3D	MEASURABLE GOALS AND MILESTONES
Goal(s)	Inspections and Enforcement
Milestone Year 1	Review effectiveness of inspection protocols and enforcement procedures
Milestone Year 2	Review effectiveness of inspection protocols and enforcement procedures
Milestone Year 3	Review effectiveness of inspection protocols and enforcement procedures
Milestone Year 4	Review effectiveness of inspection protocols and enforcement procedures
Milestone Year 5	Review effectiveness of inspection protocols and enforcement procedures

<b>BEST MANAGEMENT PRACTICES FOR PERMANENT (POST-CONSTRUCTION) STORMWATER MANAGEMENT PROGRAM</b>	
BMP 4A	MEASURABLE GOALS AND MILESTONES
Goal(s)	To get our Ordinances and Policies up to standards of the new MS4 permit.
Milestone Year 1	Meet with Stormwater advisory committee
Milestone Year 2	Meet with Stormwater advisory committee
Milestone Year 3	Update Ordinances and Policies
Milestone Year 4	Update Ordinances and Policies
Milestone Year 5	Update Ordinances and Policies
BMP 4B	MEASURABLE GOALS AND MILESTONES
Goal(s)	Modernize checklists to insure a thorough review process
Milestone Year 1	Review Plans checklist to ensure all specifications are met
Milestone Year 2	Review Plans checklist to ensure all specifications are met
Milestone Year 3	Review Plans checklist to ensure all specifications are met
Milestone Year 4	Process other MS4 checklists to see if ours needs addressed
Milestone Year 5	Produce a form fillable checklist

BMP 4C	MEASURABLE GOALS AND MILESTONES
Goal(s)	Be as knowledgeable as possible through training and seminars.
Milestone Year 1	Keep updated on training such as Level 2 Erosion Prevention and Sediment Control
Milestone Year 2	Attend TNSA conference and other seminars
Milestone Year 3	Keep updated on training such as Level 2 Erosion Prevention and Sediment Control
Milestone Year 4	Keep updated on training such as Level 2 Erosion Prevention and Sediment Control
Milestone Year 5	Keep updated on training such as Level 2 Erosion Prevention and Sediment Control
BMP 4D	MEASURABLE GOALS AND MILESTONES
Goal(s)	To get more Engineering firms to submit calculations using TNRAT .
Milestone Year 1	Use TNRAT to review submitted calculations.
Milestone Year 2	Use TNRAT to review submitted calculations.
Milestone Year 3	Host a class on how to use TNRAT for contractors and engineers.
Milestone Year 4	Get feedback from companies using TNRAT
Milestone Year 5	Use TNRAT to review submitted calculations.

<b>BEST MANAGEMENT PRACTICES FOR MUNICIPAL POLLUTION PREVENTION AND GOOD HOUSEKEEPING</b>	
BMP 5A	MEASURABLE GOALS AND MILESTONES
Goal(s)	Revisit city owned properties to insure pollution prevention and good housekeeping are

**Phase II Stormwater Permit Notice of Intent (NOI)**  
**Phase II Municipal Separate Storm Sewer Systems (MS4)**

	being used.
Milestone Year 1	Meet with city department head to review their pollution prevention and good housekeeping process.
Milestone Year 2	Meet with city department head to review their pollution prevention and good housekeeping process.
Milestone Year 3	Do city owned property site inspection
Milestone Year 4	Do city owned property site inspections
Milestone Year 5	Get feedback from department heads on the review process
<b>BMP 5B</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	City employee training
Milestone Year 1	Train city employees through out different departments on pollution prevention and good housekeeping.
Milestone Year 2	Train city employees through out different departments on pollution prevention and good housekeeping.
Milestone Year 3	Train city employees through out different departments on pollution prevention and good housekeeping.
Milestone Year 4	Train city employees through out different departments on pollution prevention and good housekeeping.
Milestone Year 5	Train city employees through out different departments on pollution prevention and good housekeeping.

<b>BMP 5C</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	Keeping city infrastructure pollution free
Milestone Year 1	Evaluate roadway and storm drainage maintenance procedures, in order to minimize discharges of pollutants during maintenance operations.
Milestone Year 2	Evaluate roadway and storm drainage maintenance procedures, in order to minimize discharges of pollutants during maintenance operations.
Milestone Year 3	Evaluate roadway and storm drainage maintenance procedures, in order to minimize discharges of pollutants during maintenance operations.
Milestone Year 4	Evaluate roadway and storm drainage maintenance procedures, in order to minimize discharges of pollutants during maintenance operations.
Milestone Year 5	Evaluate roadway and storm drainage maintenance procedures, in order to minimize discharges of pollutants during maintenance operations.

<b>BMP 5D</b>	<b>MEASURABLE GOALS AND MILESTONES</b>
Goal(s)	Staying updated on all ordinances on pollution prevention and good housekeeping so the City of Crossville sets and example to the public
Milestone Year 1	Update and review prevention policies and ordinances
Milestone Year 2	Update and review prevention policies and ordinances
Milestone Year 3	Update and review prevention policies and ordinances
Milestone Year 4	Update and review prevention policies and ordinances
Milestone Year 5	Update and review prevention policies and ordinances

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**CITY OF CROSSVILLE ENGINEERING DEPARTMENT** ENVIRONMENT & CONSERVATION  
COOKEVILLE FIELD OFFICE

**Minimum Requirements for Detention, Drainage, & Infrastructure Design**

**Section I: Definitions**

*Development* – the alteration or modification of a site associated with the redevelopment of property, development of property, change in land use, building additions, paving, grading, drainage improvements, or drainage alterations, etc.

*Residential Development (RD)* – A residential development is any development of a single recorded residential lot with a single-family house or duplex unit.

*Single-Family Residential (SFR)* – A residential development of any multiple of lots being developed for residential uses for single-family houses or duplex units.

*Commercial Development (CD)* – Any development which contains a building or a structure and which is not a residential development or a single-family development.

*Other Development (OD)* – Any development which does not contain a building or structure and which is not a residential development or a single-family development.

*First Flush or Water Quality Volume* – The first one-half (1/2) inch fraction of direct runoff from a site produced by a rainfall event.

*Site Plan Map* – A plan at a scale of 1" = 100' or less that depicts the property boundaries and contours of the ground surface at an interval not to exceed 5 feet.

**Section II: General Requirements**

All permanent drainage structures including storm sewers, detention basins, detention, controls in lieu of detention, etc., with the exception of driveway culverts limited to 40 feet in length must be sized and designed by a Professional Engineer. If a site requires any of these structures, the site plan, grading plans, SWPPP, or any other required documents must be prepared and sealed by the Professional Engineer.

Any developments that require submission of plans, reports, or documents to be prepared and sealed by a Professional Engineer shall submit calculations for the 2-year, 5-year, and 10-year design storms.

All infrastructure (drainage swales, pipes, inlets, catch basins, cross-drains, under-drains, detention basins, driveway culverts, etc.) and control measures for developments related to onsite and offsite drainage design shall provide adequate capacity to pass the 10-year design storm based on post-development conditions. All discharges from run-on areas shall be included in the design and adequate capacity shall be installed to accommodate these discharges. All structures shall be capable of safely bypassing the 100-year storm event without damage to the structure or the system.

All infrastructure pipes and structures built under streets within the 100-year floodplain shall be adequately sized to pass the 100-year storm event and shall provide 1 foot of freeboard. No structures

or fills shall be constructed within the 100-year floodplain which would create more than 1 foot of backwater. All developments that contain any structures within a 100-year floodplain shall require all documents and design to be prepared and sealed by a Professional Engineer and the hydraulic report shall include the calculations for all areas of the development for the 100-year storm event.

All detention shall be provided on the property for which the detention is required unless waived by the City of Crossville Engineering Department. In the event of a waiver for use of regional detention for the development, an explicit note shall be provided on the design drawings as well as the location of all drainage and access easements.

Any infrastructure within a drainage area that ultimately flows into the right of way of any state route or highway must follow the Tennessee Department of Transportation Drainage Manual.

The presence of a wetland, stream, or drainage problem on a property may require a drainage study by a Professional Engineer. The City of Crossville Engineering Department may request any and all additional studies deemed necessary when a wetland, stream, or drainage problem exists on a property.

### **Section III: Site Development Overview**

There are four types of site development projects for the purposes of determining requirements for a site development permit. The term "site development" also includes any redevelopment of a property (i.e., changing the land use or occupancy use), building additions, paving, regarding, drainage improvements/alterations, etc.

The first objective of permitting discharges associated with development is to improve the water quality by slowing the runoff volumetric flow rate, decreasing runoff, and infiltrating as much as possible into the soil to recharge the groundwater table. Some measures may be used to improve stormwater quality, depending on the nature of the land use and expected pollutants are as follows: bio-retention areas, rain gardens, pervious concrete, and check dams. Sustainable development is encouraged as a method to decrease runoff and improve infiltration.

The secondary objective of permitting discharges associated with development is to improve water quality through the use of treatment techniques applied to the water quality volume. This objective is only applied to commercial developments and other developments.

Requirements vary for each of the four types of site development projects and also based upon the sizes of the development. The following chart is a quick summary of the varying requirements:

<b>Quick Reference: Types of Site Development and Related Requirements</b>					
<i>Type of Site Development:</i>		<i>Applicable Section</i>	<i>Site Development Plan Required?</i>	<i>Point at which Post-construction detention and/or alternate controls is required</i>	<i>Water Quality Volume Treatment Required?</i>
<b>RD</b>	Residential Development	IV	Yes	>5 acres total disturbed area , or > ½ acre impervious area, or > 20% impervious area	No
<b>SFR</b>	Single-Family Residential	V	Yes	>10 acres total disturbed area, or > 1 acre impervious area, or >8 lots	No
<b>CD</b>	Commercial Development	VI	Yes	If post-development flows are 2 cfs or more than pre-development flows	Yes
<b>OD</b>	Other Development	VII	Yes	If post-development flows are 2 cfs or more than pre-development flows	Yes
Notes: 1. The post-development discharge from all required detention shall not exceed pre-development flows plus 2 cfs. 2. All permanent drainage structures including storm sewers, detention basins, detention, controls in lieu of detention, etc., with the exception of driveway culverts limited to 40 feet in length must be sized and designed by a Professional Engineer. If a site requires any of these structures, the site plan, grading plans, SWPPP, or any other required documents must be prepared and sealed by the Professional Engineer.					

#### **Section IV: Residential Development (RD)**

Residential development is defined as the development of a single recorded residential lot (single-family house or duplex unit). The entire property is assumed to be disturbed until a site plan is submitted to indicate differently. The site plan is not required to be stamped by a Professional Engineer, unless additional information is specifically requested by the City of Crossville Engineering Department due to special or unusual circumstances. Adequate erosion control measures must be used to ensure that no sediment leaves the property.

A stormwater detention basin is not required unless the residential property has more than 5 acres of total disturbed area or the property contains over one-half (1/2) acre of impervious area or has more than 20% impervious area.

#### **Section V: Single-Family Residential (SFR) (includes housing subdivisions)**

Single-family residential development is defined as any multiple lots being developed of a residential nature (such as a housing subdivision) for single-family houses or duplex units on each lot.

A single-family residential development with less than 10 acres of total disturbed area, less than 1 acre of impervious area, and less than 8 lots must submit a site development plan on a topographic map. The entire property is assumed to be disturbed until a site plan is submitted to indicate differently. The site plan is not required to be stamped by a Professional Engineer, unless additional information is specifically requested by the City of Crossville Engineering Department due to special or unusual circumstances.



A single-family residential development that has more than 10 acres of total disturbed area, or more than 1 acre of impervious area, or more than 8 lots must submit a site development plan on a topographic map prepared and sealed by a Professional Engineer. A stormwater detention basin will be required unless an alternate plan of controls that provide equivalent or better control than the detention basin is submitted as part of the site development plan. The discharge from the developed site must be no more than 2 cfs above the pre-development discharge. Detention basins are highly discouraged and alternatives are encouraged for single-family residential developments due to the maintenance requirements of detention basins.

Underground detention systems are not permitted for single-family residential developments of any size.

#### **Section VI: Commercial Development (CD) (includes apartments and condominiums)**

Commercial development is defined as any development which contains a building or a structure, and which is not a residential development or a single-family development. This includes apartment buildings, condominium buildings, schools, churches, charity organizations, and other land uses which are not usually defined as being "commercial" in nature. In other words, this category also includes industrial, educational, institutional, recreational, and many other land uses.

All commercial developments must submit a site development plan on a topographic map prepared and sealed by a Professional Engineer. A stormwater detention basin or system is required for all sites at which the post-development peak rate of discharge is more than 2 cfs higher than the pre-development discharge. When detention is required, the detention system must limit the discharge from the site to no more than 2 cfs higher than the pre-development discharge.

All commercial developments require the water quality volume from the first flush to be retained and treated. The water quality volume shall be uniformly discharged over a period of not less than 24 hours and not more than 72 hours.

#### **Section VII: Other Development (OD)**

Other development is defined as any development which does not contain a building or structure, and which is not a residential development or a single-family development. This type of site development may include such items as parking lots, recreational fields, driveways, entrances, or streets. An OD site development may include right-of-way owned by the city or the state.

All other developments must submit a site development plan on a topographic map prepared and sealed by a Professional Engineer. A stormwater detention basin or system is required for all sites at which the post-development peak rate of discharge is more than 2 cfs higher than the pre-development discharge. When detention is required, the detention system must limit the discharge from the site to no more than 2 cfs higher than the pre-development discharge.

All other developments require the water quality volume from the first flush to be retained and treated. The water quality volume shall be uniformly discharged over a period of not less than 24 hours and not more than 72 hours.

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COOKEVILLE FIELD OFFICE

## CITY OF CROSSVILLE, TENNESSEE Storm Water Policy Site Inspection and Violation Enforcement

Inspections shall be performed to ensure that vegetation, erosion and sediment control measures and other protective measures identified in the storm water pollution prevention plan are being maintained in good and effective operating condition.

### Owner/Operator Inspections

Inspections required for all developments requiring a land disturbance permit.

- A. Inspections already required by other governing entities such as TDEC, TDOT, etc.
- B. Inspection documentation shall be submitted to the City of Crossville.
- C. Final storm water management best management practices (BMPs) shall be inspected and certified that they are in accordance with the approved plans prior to the issuance of a certificate of occupancy.

Additional inspections required for all major and minor subdivisions, site plans and other major developments:

- A. For all sites greater than one acre in size or being a part of a larger development, Pre-Construction storm water management BMPs shall be inspected and certified that they are in accordance with the approved plans by an engineer licensed in the State of Tennessee.
- B. For all sites with land disturbance activities greater than one (1) acre, Construction storm water management BMPs shall be inspected and certified that they are in accordance with the approved plans by an engineer licensed in the State of Tennessee, prior to the granting of a building permit.
- C. Post Construction storm water management BMPs shall be inspected and certified that they are in accordance with the approved plans by an engineer licensed in the State of Tennessee, prior to the release of surety.

### City Inspections

- A. City inspections may include, but are not limited to, the following:
  - 1. An initial site inspection prior to storm water pollution prevention plan approval;
  - 2. A bury inspection prior to burial of any underground drainage structure(s);
  - 3. Erosion prevention and sediment control inspections as necessary to ensure effective control of erosion and sedimentation;
  - 4. Periodic inspections to ensure storm water facilities are being properly maintained; and
  - 5. Final inspection when all work, including installation of storm management facilities, has been completed.

### Enforcement

- A. Enforcement authority. The City of Crossville shall have the authority to issue Notices of Violation and citations, to impose the civil penalties provided for in this section, and to institute appropriate actions or proceedings.
- B. Notification of Violation (NOV).
  - 1. Written Notice. Whenever the Director of Engineering, the Storm Water Coordinator or his designee finds that an owner/operator or any other person discharging storm water has violated or continues to be in violation of these Regulations or permit or order issued hereunder, he may serve upon such person a written NOV. In addition to the NOV, whenever the Director of Engineering, the Storm Water Coordinator or his designee finds that any permittee, person, company or facility owning, occupying or operating on any premises has violated or continues to be in violation of these Regulations or permit or order issued hereunder, he may revoke said permit issued by the City. Any permit issued erroneously in violation of any applicable federal, state or local law or regulations may be revoked. Notice of such revocation shall be in accordance with the notification requirements for NOV's.

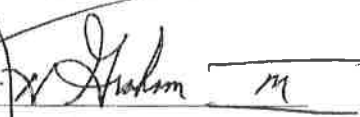
Within a date certain established by this Notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, shall be submitted to the City of Crossville. Said plan shall identify specific actions to be taken to correct the violation. Submission of this plan shall not relieve the discharger of liability for any violations


occurring before or after receipt of the NOV.

2. **Consent Orders.** The Director of Engineering, the Storm Water Coordinator or his designee is hereby empowered to enter into consent orders, assurances of voluntary compliance or any other similar document that establishes an agreement with the owner/operator or any other person responsible for the non-compliance. Such orders, assurances or similar documents shall identify specific actions to be taken to correct the non-compliance, within a date certain as specified by said orders, assurances or similar documents. Consent orders shall have the same force and effect as compliance orders issued pursuant to paragraph B.3.
3. **Compliance Orders.** Whenever the Director of Engineering, the Storm Water Coordinator or his designee finds that an owner/operator or any other person has violated or continues to be in violation of these Regulations or permit or order issued hereunder, he may issue a compliance order to the violator directing that, within a date certain, adequate structures or devices shall be installed or procedures implemented, and that said structures or devices are properly operating and said procedures are being complied with. Compliance orders may also contain such other requirements as may be reasonably necessary and appropriate to address the non-compliance, including the construction of appropriate structures, installation of devices, self-monitoring and management practices.
4. **Cease and Desist Orders.** Whenever the Director of Engineering, Storm Water Coordinator or his designee finds that an owner/operator or any other person has violated or continues to be in violation of these Regulations or permit or order issued hereunder, he may issue an order to cease and desist all such violations and direct those owners/operators or any other persons in non-compliance to:
  - a. Comply forthwith; or
  - b. Take such appropriate remedial or preventative action as may be necessary to properly address a continuing or threatened violation, including ceasing operations and terminating the discharge.
  - c. Conflicting standards. Where there is a conflict between any standards contained in these Regulations and the BMP manual adopted by the City of Crossville, pursuant to these Regulations, the strictest standards shall prevail.


**Show Cause Hearing.** The Director of Engineering, Storm Water Coordinator or his designee may order an owner/operator or any other person who violates these Regulations or permit or order issued hereunder, to show just cause as to why a proposed enforcement action should not be undertaken. Notice shall be served on said owner/operator or any other person specifying the date, time and location for the show cause hearing, the proposed enforcement action and the reasons for such action. The show cause meeting notice shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to said hearing.


ADOPTED, this 28 day of December, 2008.

  
Mayor

  
Councilman

  
Councilman

  
Councilman

  
Councilman

ATTEST:

  
City Clerk

[Print](#)

Crossville, TN Code of Ordinances

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**CHAPTER 8: STORM WATER**

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## Section

- 14-801 General provisions
- 14-802 Definitions
- 14-803 Land disturbance permits
- 14-804 Storm water system design and management standards
- 14-805 Post construction
- 14-806 Waivers
- 14-807 Existing locations and developments
- 14-808 Illicit discharges
- 14-809 Aquatic construction buffer
- 14-810 Enforcement
- 14-811 Penalties
- 14-812 Storm Water Board of Appeals

***Editor's note:***

*This chapter was amended during the June 9, 2009, "Change 2".*

**§ 14-801 GENERAL PROVISIONS.**

(A) It is the purpose of this chapter to:

(1) Protect, maintain and enhance the environment of the city and the public health, safety and the general welfare of the citizens of the city, by controlling discharges of pollutants to the city's municipal separate storm water system and to maintain and improve the quality of the receiving waters into which the storm water outfalls flow, including, without limitation, lakes, rivers, streams, ponds, wetlands and groundwater of the city;

(2) Enable the city to comply with the National Pollution Discharge Elimination System (NPDES) permit and applicable regulations, 40 C.F.R. § 122.26, for storm water discharges; and

(3) Allow the city to exercise the powers granted in T.C.A. § 68-221-1105, which provides that, among other powers municipalities have with respect to storm water facilities, is the power by ordinance or resolution to:

(a) Exercise general regulation over the planning, location, construction and operation and maintenance of storm water facilities in the municipality, whether or not owned and operated by the municipality;

(b) Adopt any rules and regulations deemed necessary to accomplish the purposes of this statute, including the adoption of a system of fees for services and permits;

(c) Establish standards to regulate the quantity of storm water discharged and to regulate storm water contaminants as may be necessary to protect water quality;

(d) Review and approve plans and plats for storm water management in proposed subdivisions or commercial developments;

(e) Issue permits for storm water discharges, or for the construction, alteration, extension or repair of storm water facilities;

(f) Suspend or revoke permits when it is determined that the permittee has violated any applicable ordinance, resolution or condition of the permit;

(g) Regulate and prohibit discharges into storm water facilities of sanitary, industrial or commercial sewage or waters that have otherwise been contaminated; and

(h) Expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of storm water contamination, whether public or private.

(B) The city shall administer the provisions of this chapter.

(Ord. 1167, passed 4-24-2008)

## § 14-802 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words used in the singular shall include the plural, and the plural shall include the singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined in this section shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

**AS-BUILT PLANS.** Drawings depicting conditions as they were constructed.

**AQUATIC BUFFER.** A strip of undisturbed native vegetation, either original or re-established, that borders streams, wetlands and springs.

**AQUATIC CONSTRUCTION BUFFER.** A strip of undisturbed native vegetation, either original or re-established, that borders, streams, wetlands and springs that is maintained during construction and until the site is established.

**AQUATIC CORRIDOR.** An area of land and water which is important to the integrity and quality of a stream, wetland and spring. An **AQUATIC CORRIDOR** consists of the actual body of water and the adjacent aquatic buffer.

**BEST MANAGEMENT PRACTICES** or **BMPs.** Physical, structural and/or managerial practices that, when used singly or in combination, prevent or reduce pollution of water, that have been approved by the city, and that have been incorporated by reference into this chapter as if fully set out therein. (Note: See § 14-804(A)(2) for recommended BMP manual.]

**CHANNEL.** A natural or artificial watercourse with a definite bed and banks that conducts flowing water continuously or periodically.

**CONTAINMENT.** Any physical, chemical, biological or radiological substance or matter in water.

**DESIGN STORM EVENT.** A hypothetical storm event, of a given frequency interval and duration, used in the analysis and design of a storm water facility.

**DEVELOPMENT.** Any human-made change, involving construction or reconstruction, to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, clearing, paving, excavation, drilling operations or other land disturbances.

**DISCHARGE.** Dispose, deposit, spill, pour, inject, seep, dump, leak or place by any means, or that which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked or placed by any means including any direct or indirect entry of any solid or liquid matter into the municipal separate storm sewer system.

**EASEMENT.** An acquired privilege or right of use or enjoyment that a person, party, firm, corporation, municipality or other legal entity has in the land of another.

**ELICIT CONNECTIONS.** Illegal and/or unauthorized connections the municipal separate storm water system whether or not the connections result in discharges into that system.

**ELICIT DISCHARGES.** Any discharge to the municipal separate storm sewer system that is not composed entirely of storm water and not specifically exempted under § 14-803(C).

**EROSION.** The removal of soil particles by the action of water, wind, ice or other geological agents, whether naturally occurring or acting in conjunction with or promoted by human activities or effects.

**EROSION AND SEDIMENT CONTROL PLAN.** A written plan (including drawings or other graphic representation(s)) that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.

**FLOODPLAIN.** For a given flood event, that area of land temporarily covered by water which adjoins a watercourse.

**FLOODWAY.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

**HOTSPOT or PRIORITY AREA.** An area where land use or activities generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in storm water.

**IMPERVIOUS AREA.** Impermeable surfaces, such as pavement or rooftops, which prevent the percolation of water into the soil.

**LAND DISTURBING ACTIVITY.** Any activity on property that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography.

**LAND DISTURBING ACTIVITIES** include, but are not limited to, development, re-development, demolition, construction, reconstruction, clearing, grading, filling and excavation.

**MAINTENANCE.** Any activity that is necessary to keep a storm water facility in good working order so as to function as designed. **MAINTENANCE** shall include complete reconstruction of a storm water facility if reconstruction is needed in order to restore the facility to its original operational design parameters. **MAINTENANCE** shall also include the correction of any problem on the site property that may directly impair the functions of the storm water facility.

**MAINTENANCE AGREEMENT.** A document recorded in the land records that acts as a property deed restriction, and which provides for long-term maintenance of storm water management practices.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4).** The conveyances owned or operated by the municipality for the collection and transportation of storm water, including the roads and streets and their drainage systems, catch basins, curbs, gutters, ditches, human-made channels and storm drains.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT or NPDES PERMIT.** A permit issued pursuant to 33 U.S.C. § 1342. A permit program that controls water pollution by regulating point sources that discharge pollutants into waters of the United States.

**NATIVE VEGETATION.** Indigenous plants to the Cumberland plateau.

**OFF-SITE FACILITY.** A structural BMP located outside the subject property boundary described in the permit application for land development activity.

**ON-SITE FACILITY.** A structural BMP located within the subject property boundary described in the permit application for land development activity.

**PEAK FLOW.** The maximum instantaneous rate of flow of water at a particular point resulting from a storm event.

**PERSON.** Any and all persons, natural or artificial, including any individual, firm or association and any municipal or private corporation organized or existing under the laws of this or any other state or country.

**PLANTING PLAN.** A re-vegetative plan approved by the city.

**PRIORITY AREA.** "Hot spot", as defined herein.

**RUNOFF.** The portion of the precipitation on a drainage area that is discharged from the area into the MS4.

**SEDIMENT.** Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity or ice and has come to rest on the earth's surface either above or below sea level.

**SEDIMENTATION.** Soil particles suspended in storm water that can settle in stream beds and disrupt the natural flow of the stream.

**SOILS REPORT.** A study of soils on a subject property with the primary purpose of characterizing and describing the soils. The **SOILS REPORT** may be prepared using the NRCS land use data.

**STABILIZATION.** Providing adequate measures, vegetative and/or structural, that will prevent erosion from occurring.

**STORM WATER.** Storm water runoff, snow melt runoff, surface runoff, street wash waters related to street cleaning or maintenance, infiltration and drainage.

**STORM WATER MANAGEMENT.** The programs to maintain quality and quantity of storm water runoff to pre-development levels.

**STORM WATER MANAGEMENT FACILITIES.** The drainage structures, conduits, ditches, combined sewers, sewers, retention basins, detention basins, rain gardens and all device appurtenances by means of which storm water is collected, transported, pumped, treated, held or disposed of.

**STORM WATER RUNOFF.** Flow on the surface of the ground, resulting from precipitation.

**STREAM.** All perennial and/or intermittent stream waterways and wetlands as identified on a seven and one-half minute USGS quadrangle map, or as determined by a federal or state agency or the city.

**STRUCTURAL BMP.** Devices that are constructed to provide control of storm water runoff.

**SURFACE WATER.** Includes waters upon the surface of the earth inbounds created naturally or artificially including, but not limited to, streams, other water courses, lakes and reservoirs.

**TDEC 303(D) LIST.** The list is a compilation of the streams and lakes in the state that are "water quality limited" or are expected to exceed water quality standards in the next two years and need additional pollution controls. Water quality limited streams are those that have one or more properties that violate water quality standards. They are considered impaired by pollution and not fully meeting designated uses. Additionally, the **303(D) LIST** prioritizes impacted streams for specialized studies called total maximum daily load (TMDL)  
<http://www.state.tn.us/environment/wpc/publications/303d2006.pdf>.

**TOTAL MAXIMUM DAILY LOAD (TMDL).** A calculation of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. The Clean Water Act, § 303, establishes water quality standards and TMDL programs. In the State of Tennessee, TMDLs are established by TDEC.  
<http://tennessee.gov/environment/wpc/tmdl/>.

**UNAPPROVED SPECIES.** Invasive species of plants, such as kudzu, as designated by the city.

**WATERCOURSE.** A permanent or intermittent stream or other body of water, either natural or human-made, which gathers or carries surface water.



**WATERSHED.** All the land area that contributes runoff to a particular point along a waterway.

**WETLANDS.** An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetland determination shall be made by the Army Corp of Engineers and/or the State Department of Environment and Conservation, and/or other qualified professionals.

(Ord. 1167, passed 4-24-2008)

### § 14-803 LAND DISTURBANCE PERMITS.

(A) *When required.*

(1) Every person disturbing less than one acre of land and not part of a larger development must address land disturbance permit as a part of their building permit. Any land disturbance less than 4,000 square feet is exempt. The individual will be required to follow the policy on disturbances less than one acre and not part of a larger common plan of development.

(2) Every person disturbing more than one acre of land or if the site is part of a larger common plan of development will be required to obtain a land disturbance permit from the city. The individual will be required to follow the storm water regulations and the policy for disturbances greater than one acre of land or if the site is part of a larger common plan of development.

(B) *Building permit.* No building permit shall be issued until the applicant has obtained a land disturbance permit where the same is required by this chapter.

(C) *Exemptions.* The following activities are exempt from the permit requirement:

(1) Any emergency activity that is immediately necessary for the protection of life, property or natural resources;

(2) Existing nursery and agricultural operations conducted as a permitted main or accessory use; and

(3) Any logging or agricultural activity that is consistent with an approved farm conservation plan or a timber management plan prepared or approved by the USDA Natural Resources Conservation Service.

(D) *Application for a land disturbance permit.*

(1) Each application less than an acre and greater than 4,000 square feet shall include all of the information on the application as mandated by the city.

(2) Each application of one acre or larger shall include:

(a) A copy of TDEC Notice of Intent (NOI) § 4(3) with a TDEC tracking number;

(b) A Storm Water Pollution Prevention Plan (SWPPP) § 4(2), providing for storm water management during the land disturbing activity and after the activity has been completed; and

(c) Each application for a land disturbance permit shall be accompanied by payment of land disturbance permit and other storm water management fees, which shall be established by the city.

(E) *Review and approval of application.*

(1) The city will review each application for a land disturbance permit to determine its conformance with the provisions of the chapter. Within 30 days after receiving an application, the city shall provide one of the following responses in writing:

(a) Approval of the permit application;

(b) Approval of the permit application, subject to reasonable conditions as may be necessary to secure substantially the objectives of this chapter and issue the permit subject to these conditions; or

(c) Denial of the permit application, indicating the reason(s) for the denial.

(2) If the city has granted conditional approval of the permit, the applicant shall submit a revised plan that conforms to the conditions established by the city. However, the applicant shall be allowed to proceed with his or her land disturbing activity so long as it conforms to conditions established by the city.

(F) *Permit duration.* Every land disturbance permit shall expire and become null and void within one year of issuance. Extensions may be requested.

(G) *Notice of construction.* The applicant must notify the city in advance of the commencement of construction. Regular inspections of the storm water management system construction may be conducted by the city.

(H) *Performance bonds.*

(1) The city may, at its discretion, require the submittal of a performance security, performance bond or irrevocable letter of credit prior to issuance of a permit in order to ensure that the storm water practices are installed by the permit holder as required by the approved storm water management plan. The amount of the installation performance security or performance bond shall be the total estimated construction cost of the structural BMPs approved under the permit plus any reasonably foreseeable additional related costs (e.g., for damages or enforcement) [or plus a certain percentage of the total estimated costs]. The performance security shall contain forfeiture provisions for failure to complete work specified in the storm water management plan. The applicant shall provide an itemized construction cost estimate complete with unit prices which shall be subject to acceptance, amendment or rejection by the city. Alternatively, the city shall have the right to calculate the cost of construction cost estimates.

(2) The performance security, performance bond or irrevocable letter of credit shall be released once final stabilization has been achieved.

(I) *Easement to property.* The city has the right to ingress and egress on project site to inspect, enforce and mitigate on the site.

(Ord. 1167, passed 4-24-2008)

#### **§ 14-804 STORM WATER SYSTEM DESIGN AND MANAGEMENT STANDARDS.**

(A) *Storm water design or BMP manual.* The municipality adopts as its storm water design and best management practices (BMP) manual the following publications, which are incorporated by reference in this chapter as is fully set out herein:

(1) TDEC Sediment and Erosion Control Manual:

[http://www.state.tn.us/environment/wpc/sed\\_ero\\_controlhandbook/](http://www.state.tn.us/environment/wpc/sed_ero_controlhandbook/);

(2) Storm water BMP Selection Guide Manual for Tennessee:

<http://eerc.ra.utk.edu/divisions/wrrc/BMP/bmp.htm>;

(3) Aquatic Construction Buffer Ordinance, Section (9);

(4) TDEC Post Construction Manual; and

(5) Water Resources Habitat Conservation Plan (HCP).

(B) *Storm Water Pollution Prevention Plan requirements (SWPPP).* TDEC SWPPP, as required by the State Department of Environment and Conservation.

(C) *Notice of Intent (NOI).* TDEC NOI, as required by the State Department of Environment and Conservation.

(Ord. 1167, passed 4-24-2008)

#### **§ 14-805 POST CONSTRUCTION.**

(A) *As-built plans.* All applicants are required to submit as built plans for any permanent water quality structures located on-site after final construction is completed. The plan must show the final design specifications for all permanent water quality structures and must be sealed by a registered professional engineer licensed to practice in the state. A final inspection by the city is required before any performance security or performance bond will be released. The city shall have the discretion to adopt provisions for a partial pro-rata release of the performance security or performance bond on the completion of various stages of development.

(B) *Landscaping and stabilization requirements.*

(1) Any area of land from which the natural vegetative cover has been either partially or wholly cleared by development activities shall be re-vegetated according to a schedule approved by the city. The following criteria shall apply to re-vegetation efforts.

(a) Reseeding must be done with all annual or perennial cover crop accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion and permanently stabilize the affected areas.

(b) Replanting with native woody and herbaceous vegetation must be accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion and permanently stabilize the affected areas or until the plantings are established.

(2) In addition to the above requirements, a landscaping plan must be submitted with the final design describing the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after

construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved.

(C) *Inspection of storm water management facilities.* Periodic inspections of facilities may be performed as provided for in division (D) below and § 14-807(C).

(D) *Failure to meet or maintain design or maintenance standards.* If a responsible party fails or refuses to meet the design or maintenance standards required for storm water facilities under this chapter, the city, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the storm water management facility becomes a danger to public safety or public health, the city shall notify in writing the party responsible for maintenance of the storm water management facility and they shall be given a time frame to repair the facility. In the event that corrective action is not undertaken within that time, the city may take necessary corrective action. The cost of any action by the city under this section shall be charged to the responsible party.

(Ord. 1167, passed 4-24-2008)

#### **§ 14-806 WAIVERS.**

(A) *General.* Every applicant shall provide for post construction storm water management as required by this chapter, unless a written request is filed to waive this requirement. Requests to waive the storm water management plan requirements shall be submitted to the city for approval.

(B) *Conditions for waiver.* The minimum requirements for storm water management may be waived in whole or in part upon written request of the applicant, provided that at least one of the following conditions applies:

(1) It can be demonstrated that the proposed development is not likely to impair attainment of the objectives of this chapter;

(2) Alternative minimum requirements for on-site management of storm water discharges have been established in a storm water management plan that has been approved by the city; or

(3) Provisions are made to manage storm water by an off-site facility. The off-site facility must be in place and designed to provide the level of storm water control that is equal to or greater than that which would be afforded by on-site practices. Further, the facility must be operated and maintained by an entity that is legally obligated to continue the operation and maintenance of the facility.

(C) *Downstream damage and the like prohibited.* In order to receive a waiver, the applicant must demonstrate to the satisfaction of the city that the waiver will not lead to any of the following conditions downstream:

(1) Deterioration of existing culverts, bridges, dams and other structures;

(2) Degradation of biological functions or habitat;

(3) Accelerated stream bank or streambed erosion or siltation; or

(4) Increased threat of flood damage to public health, life or property.

(D) *Land disturbance permit not to be issued where waiver requested.* No land disturbance permit shall be issued where a waiver has been requested until the waiver is granted. If no waiver is granted, the plans must be submitted.

(Ord. 1167, passed 4-24-2008)

#### **§ 14-807 EXISTING LOCATIONS AND DEVELOPMENTS.**

(A) *Requirements for all existing locations and developments.* The following requirements shall apply to all locations and development at which land disturbing activities have occurred previous to the enactment of this chapter:

(1) Denuded areas must be vegetated or covered under the standards and guidelines specified in the BMP manual and on a schedule acceptable to the city;

(2) Cuts and slopes must be properly covered with appropriate vegetation and/or retaining walls constructed;

(3) Drainage ways shall be properly covered in vegetation or secured with rip-rap, channel lining and the like to prevent erosion;

(4) Trash, junk, rubbish and the like shall be cleared from drainage ways; and

(5) Storm water runoff shall be controlled to the extent reasonable to prevent pollution of local waters.

(B) *Requirements for existing problem locations.* The city shall in writing notify the owners of existing locations and developments of specific drainage, erosion or sediment problem affecting the locations and developments, and may recommend action to correct those problems. The notice shall also specify reasonable time for compliance.

(C) *Inspection of existing facilities.* The city may, to the extent authorized by state and federal law, establish inspection programs to verify that all storm water management facilities, including those built before as well as after the adoption of the ordinance comprising this chapter, are functioning within design limits. These inspection programs may be established on any reasonable basis, including, but not limited to, routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of the municipality's NPDES storm water permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to, reviewing maintenance and repair records; sampling discharges, surface water, ground water and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other BMPs.

(D) *Corrections of problems subject to appeal.* Corrective measures imposed by the storm water utility under this section are subject to appeal under § 14-812 of this chapter.

(Ord. 1167, passed 4-24-2008)

**§ 14-808 ILLICIT DISCHARGES.**

(A) *Scope.* This section shall apply to all water generated on developed or undeveloped land entering the municipality's separate storm sewer system.

(B) *Prohibition of illicit discharges.* No person shall introduce or cause to be introduced into the municipal separate storm sewer system any discharge that is not composed entirely of storm water. The commencement, conduct or continuance of any non-storm water discharge to the municipal separate storm sewer system is prohibited, except as described as follows:

(1) Uncontaminated discharges from the following sources:

- (a) Water line flushing or other potable water sources;
- (b) Landscape irrigation or lawn watering with potable water;
- (c) Diverted stream flows;
- (d) Rising ground water;
- (e) Groundwater infiltration to storm drains;
- (f) Pumped ground water;
- (g) Foundation or footing drains;
- (h) Crawl space pumps;
- (i) Air conditioning condensation;
- (j) Springs;
- (k) Non-commercial washing of vehicles;
- (l) Natural riparian habitat or wet-land flows;
- (m) Swimming pools (if dechlorinated - typically less than one PPM chlorine);
- (n) Firefighting activities; and
- (o) Any other uncontaminated water source.

(2) Discharges specified in writing by the city as being necessary to protect public health and safety; and

(3) Dye testing is an allowable discharge if the city has so specified in writing.

(C) *Prohibition of illicit connections.*

(1) The construction, use, maintenance or continued existence of illicit connections to the separate municipal storm sewer system is prohibited.

(2) The prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(D) *Reduction of storm water pollutants by the use of best management practices.* Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, the BMPs necessary to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

(E) *Notification of spills.* Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting in, or may result in, illicit discharges or pollutants discharging into the municipal separate storm sewer system, the person shall take all necessary steps to ensure the discovery, containment and cleanup of the release. In the event of a release of hazardous materials the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, the person shall notify the city no later than the next business day.

(Ord. 1167, passed 4-24-2008)

#### **§ 14-809 AQUATIC CONSTRUCTION BUFFER.**

(A) *Objective.*

(1) It is the objective of this chapter to protect the physical and ecological integrity of waterways from surrounding upland activities. Aquatic buffers protect the integrity in the following ways:

- (a) Filtering excess amounts of sediment, organic material, nutrients and other chemicals;
- (b) Providing flood protection;
- (c) Reducing storm water runoff velocities;
- (d) Protecting channel bank areas from scour and erosion;
- (e) Providing shade for cooling adjacent water, which allows waters to hold a great level of dissolved oxygen; and
- (f) Providing leaf litter and large woody debris important to aquatic organisms.

(2) Aquatic buffers are most effective when storm water runoff is flowing into and through the buffer as shallow sheet flow, rather than in a concentrated form. Therefore, it is critical that the design of any development include best management practices, to the maximum extent practical, that will result in storm water runoff flowing into and through the aquatic buffer as shallow sheet flow.

(B) *Applicability.* This chapter shall apply to all new developments, modifications to existing developments and/or redevelopments within the city, except for the following:

(1) Development, modifications to existing development and/or redevelopment which prior to the effective date of the ordinance comprising this chapter;

- (1) Is covered by a valid, unexpired site plan which has been issued a land disturbance; or
- (2) Is covered by a valid, unexpired building permit.

(C) *Width requirements for aquatic construction buffers.* The aquatic buffer widths shall be calculated as follows:

(1) Aquatic construction buffer-zone requirements for discharges into impaired or high quality 303d listed streams must follow the state general construction permit requirement for these streams. (Refer to State NPDES permit § 4.4.2)

<http://www.state.tn.us/environment/wpc/stormh20/>.

(2) For a non-303(d) listed, the width of aquatic construction buffer zone for a stream should be an average of 25 feet from the disturbed area to the stream bank.

(3) The aquatic construction buffer adjacent to delineated wetlands and springs shall extend an average of 25 feet perpendicular beyond the edges of the delineated wetlands and springs.

(D) *Design standards for aquatic construction buffers.*

(1) The aquatic construction buffer area is a mature strip of undisturbed native vegetation (either original or re-established) that can provide erosion control to the stream during construction. If an aquatic construction buffer area must be removed during construction then an appropriate width aquatic buffer must be replaced. A planting plan shall be required. A planting plan shall be submitted to the city for approval and will comply with the following:

(a) All planting plans shall be drawn at a scale of not less than one inch equals 20 feet for small tracts and one inch equals 50 feet for large tracts on 24-inch by 36-inch sheets;

(b) A minimum of two complete sets of planting plans shall be submitted at the time of application. Also, one reduced copy of a complete planting plan on a sheet(s) no larger than 11 inches by 17 inches shall also be submitted; and

(c) The planting plan shall include a "plant schedule" which lists the number and common and botanical name(s) of all existing and proposed plantings. The "plant schedule" shall also list the height, spread and where applicable, the caliper of all new plantings at the time of planting.

(2) Establishment of a aquatic construction buffer must adhere to the following conditions and be shown on the planting plan:

(a) Stream banks must be planted with native vegetation that represents both woody (trees and shrubs) and herbaceous species appropriate to the site. Density shall depend on there-vegetation technique to be used and existing site conditions;

(b) No trees shall be planted in a utility district easement;

(c) No species may comprise more than one-third of the total planted trees or shrubs;

(d) Seedlings/trees must be guaranteed at a 75% survivorship; and

(e) Invasive species must be removed.

(E) *Management and maintenance of aquatic construction buffers.*



(1) Management of the aquatic construction buffer during construction includes specific limitations on alteration of the natural conditions. The following practices and activities are restricted within the aquatic construction buffer, except with prior approval by the city:

- (a) Clearing or grubbing of existing vegetation; and
- (b) Use, storage or application of pesticides, herbicides and fertilizers.

(2) The following structures, practices and activities are permitted in the aquatic construction buffer subject to the prior approval by the city and the following specific design or maintenance features:

- (a) Crossings (road and utilities); provided, the following criteria are followed.

1. Aquatic resource alteration permit must be obtained from State Department of Environment and Conservation if a stream crossing is necessary.

2. The width of the crossing should be minimum width and as perpendicular to the stream as possible.

- (b) Paths and greenways, provided the design and location are approved by the city;

(c) Individual trees within the aquatic construction buffer may be removed if in danger of falling, causing damage to dwellings or other structures, causing blockage of the stream, standing in the path of a proposed water or sewer main, or the roots of the tree are penetrating or in danger of penetrating a sewer line at a joint of pipe connection. The root wad or stump should be left in place, where feasible, to maintain soil stability; and

- (d) Removal of invasive species and replacement with approved native species.

- (3) Aquatic construction buffers shall count toward open space reservation requirements.

(4) Aquatic construction buffers shall be left in a stabilized condition upon completion of the development and construction. The vegetative condition of the entire aquatic construction buffer must be monitored and landscaping or stabilization performed to repair erosion, damaged vegetation or other problems identified. Only native vegetation may be used in conjunction with stabilization activities. Subsequent permits, such as grading, and building, may be withheld if, after written notification, required landscaping or stabilization to be preserved is not properly maintained. All landscaping or stabilization activities within the aquatic construction buffer must have prior approval by the city. In addition, performing work in and around waters of the state may require coverage under a state and possibly a federal permit.

(F) *Water pollution hazards.* The following land uses and/or activities are designated as potential water pollution hazards. Adequate containment systems to prevent runoff must be set up and these materials must be set back from any water body by the distance indicated below:

- (1) Storage of hazardous substances: 150 feet;
- (2) Above or below ground petroleum storage facilities: 150 feet; and
- (3) Land application of biosolids: 100 feet or a distance as required by 40 C.F.R. part 503, whichever is greater.

(G) *Conflict with other regulations.* Where the standards and management requirements of this aquatic construction buffer ordinance are in conflict with other laws, regulations or ordinances

regarding streams, steep slopes, credible soils, wetlands, floodplains, timber harvesting, land disturbance activities, Water Resource Habitat Conservation Plan, city's Aquatic Construction Buffer Map or other environmental protective measures, the more restrictive requirements shall apply.

(Ord. 1167, passed 4-24-2008)

#### **§ 14-810 ENFORCEMENT.**

(A) *Enforcement authority.* The city shall have the authority to issue notices of violation and citations, and to impose the civil penalties provided in this section.

(B) *Notification of violation.*

(1) *Written notice.* Whenever the city finds that any permittee or any other person discharging storm water has violated or is violating this chapter or a permit or order issued hereunder, the city may serve upon the person written notice of the violation. Within ten days of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the Director. Submission of this plan, in no way, relieves the discharger of liability for any violations occurring before or after receipt of the notice of violation.

(2) *Consent orders.* The city is empowered to enter into consent orders, assurances of voluntary compliance or other similar documents establishing an agreement with the person responsible for the non-compliance. The orders will include specific action to be taken by the person to correct the non-compliance within a time period also specified by the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to divisions (B)(4) and (5) below.

(3) *Show cause hearing.* The city may order any person who violates this chapter or permit or order issued thereunder, to show cause why a proposed enforcement action should not be taken. Notice shall be served on the person specifying the time and place for the meeting, the proposed enforcement action and the reasons for the action, and a request that the violator show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten days prior to the hearing.

(4) *Compliance order.* When the Director finds that any person has violated or continues to violate this chapter or a permit or order issued thereunder, he or she may issue an order to the violator directing that, following a specific time period, adequate structures, devices, be installed or procedures implemented and properly operated. Orders may also contain other requirements as might be reasonably necessary and appropriate to address the non-compliance, including the construction of appropriate structures, installation of devices, self-monitoring and management practices.

(5) *Cease and desist orders.* When the city finds that any person has violated or continues to violate this chapter or any permit or order issued hereunder, the Director may issue an order to cease and desist all violations and direct those persons in non-compliance to:

(a) Comply forthwith;

(b) Take appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge; and

(c) Conflicting standards. Whenever there is a conflict between any standard contained in this chapter and in the BMP manual adopted by the municipality under this chapter, the strictest standard shall prevail.

(Ord. 1167, passed 4-24-2008)

#### **§ 14-811 PENALTIES.**

(A) *Violations.* Any person who shall commit any act declared unlawful under this chapter, who violates any provision of this chapter, who violates the provisions of any permit issued pursuant to this chapter, or who fails or refuses to comply with any lawful communication or notice to abate or take corrective action by the city, shall be guilty of a civil offense.

(B) *Penalties.* Under the authority provided in T.C.A. § 68-221-1106, the municipality declares that any person violating the provisions of this chapter may be assessed a civil penalty by the city of not less than \$50 and not more than \$5,000 per day for each day of violation. Each day of violation shall constitute a separate violation.

(C) *Recovery of damages and costs.* In addition to the civil penalty in division (B) above, the municipality may recover:

(1) All damages proximately caused by the violator to the municipality, which may include any reasonable expenses incurred in investigating violations of, an enforcing compliance with, this chapter or any other actual damages caused by the violation; and

(2) The costs of the municipality's maintenance of storm water facilities when the user of the facilities fails to maintain them as required by this chapter.

(D) *Other remedies.* The municipality may bring legal action to enjoin the continuing violation of this chapter, and the existence of any other remedy, at law or equity, shall be no defense to any actions.

(E) *Remedies cumulative.* The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal, that one or more of the remedies set forth herein has been sought or granted.

(Ord. 1167, passed 4-24-2008)

#### **§ 14-812 STORM WATER BOARD OF APPEALS.**

(A) There is created a Board of Environmental Appeals to hear appeals filed by any person incurring a civil penalty or damage assessment imposed pursuant to § 14-811 of these regulations.

(B) The Board may issue subpoenas requiring attendance of witnesses and production of evidence as requested, administer oaths and take testimony as the Board deems necessary to fulfill its purpose.

(C) The Board shall be composed of five members appointed by the City Council.

(D) The City Council shall select appointees so that the Board will consist of individuals with an expertise as follows:

- (1) One licensed professional engineer with civil engineering expertise;
- (2) One Council member;
- (3) One representative of the development or industrial community;
- (4) One neighborhood representative; and
- (5) One member at large.

(E) Board members shall serve for a term of five years. A Board member shall continue to serve, however, until a successor has been appointed, or until the Board member has been reappointed. The terms of the original Board members shall be staggered so that the term of one member shall expire each year.

(F) An appointment to succeed a Board member who is unable to serve and member's full term shall be for the remainder of the member's term.

(G) Board members may be reappointed, but they do not succeed themselves automatically.

(H) Board members shall serve without compensation.

(I) The Board shall annually select one of its members to serve as Chair and another member to serve as Vice-Chair of the Board by a majority vote of all members.

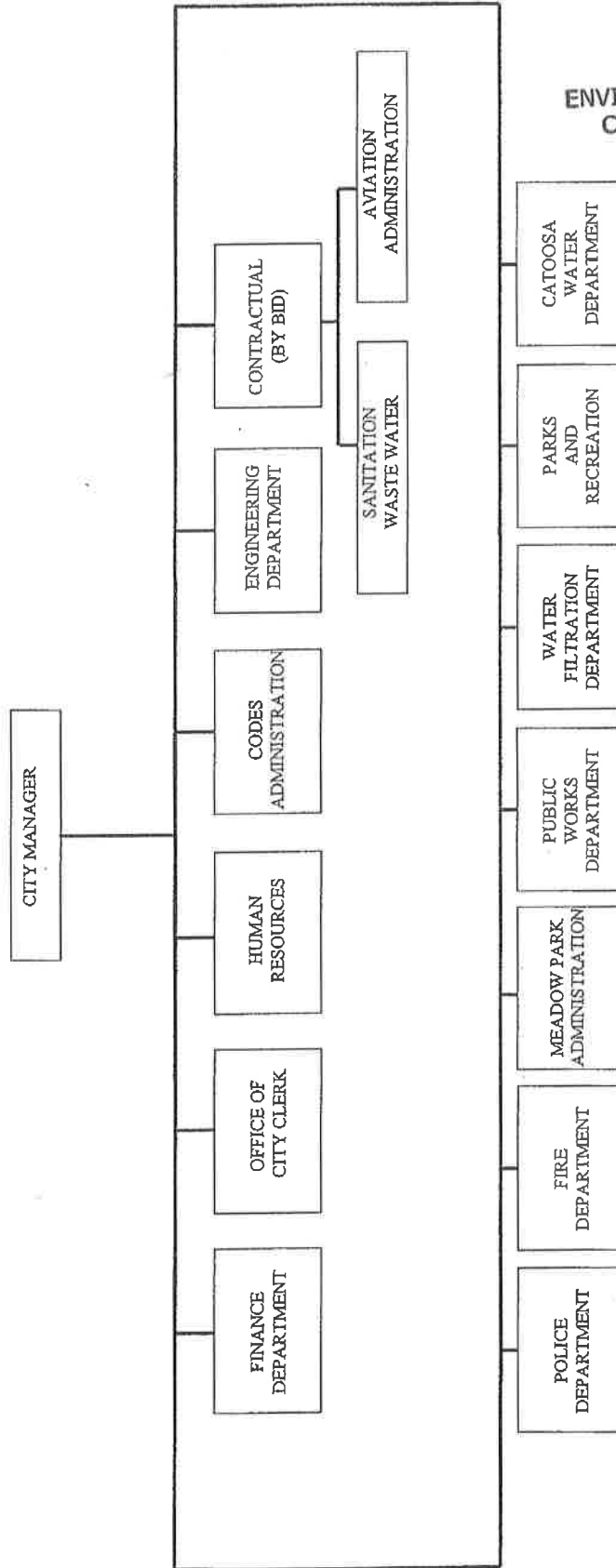
(J) The Board shall keep complete and accurate records of the proceedings of all its meetings. The city shall designate a person to serve as secretary to the Board.

(K) No Board member shall participate in the appeal of any matter in which the member has direct personal or financial interest.

(L) Three members of the Board shall constitute a quorum, and the concurrence of a majority of the Board present and voting in any matter shall be required for a determination of any matter within its jurisdiction.

(Ord. 1167, passed 4-24-2008)

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